

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

MUSTAFA OZSUSAMLAR,

Defendant.

05-CR-1077-1 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On November 8, 2007, Defendant Mustafa Ozsusamlar was sentenced principally to a term of imprisonment of 188 months after being convicted by a jury of one count of conspiracy to commit a murder-for-hire, in violation of 18 U.S.C. § 1958(b); one count of murder-for-hire, in violation of 18 U.S.C. § 1958; and one count of conspiracy to commit extortion, in violation of 18 U.S.C. § 1951. The term of 188 months runs consecutively to a term of imprisonment of 235 months, which was previously imposed on January 29, 2007. *See* Dkt. No. 91.

At sentencing, Judge Leisure calculated Mr. Ozsusamlar's sentencing guidelines range to consist of 168 to 210 months' imprisonment, based on an offense level of 32 and a criminal history category of IV. The Bureau of Prisons currently projects that Mr. Ozsusamlar will be released from prison on April 4, 2031.

By way of Amendment 821, the United States Sentencing Commission ("Sentencing Commission") amended the United States Sentencing Guidelines Manual, effective November 1, 2023. Part A amends Guidelines § 4A1.1, by reducing from two (2) points to one (1) point the upward adjustment for offenders who committed the instant offense while under any criminal sentence, and by limiting this adjustment to defendants who received seven (7) or more criminal history points. The Sentencing Commission made these amendments retroactive.

Before the Court is Mr. Ozsusamlar's motion for reduction of his sentence. Dkt. No. 187. The Probation Department has issued a report indicating that he is indeed eligible for such

reduction. Based on a criminal history category of III, the Probation Department believes that Mr. Ozsusamlar's amended guidelines range is now 151 to 188 months.

IT IS ORDERED that no later than March 14, 2024, the Government shall advise the Court of its position on the motion for modification of Mr. Ozsusamlar's sentence.

IT IS FURTHER ORDERED that the CJA attorneys assigned to receive cases on this day, Esere Onadowan and Christine Delince, are hereby ordered to assume representation of Mr. Ozsusamlar in the above captioned matter. Counsel shall reach out to Mr. Ozsusamlar to discuss this matter and provide him with a copy of this Order. Mr. Ozsusamlar shall file a response, if any, no later than April 15, 2024.

The Court's intention, unless a request is made to the contrary, is to resolve this motion based on the parties' written submissions.

SO ORDERED.

Dated: New York, New York  
February 14, 2024

A handwritten signature in blue ink, appearing to be 'R. Abrams', is written over a horizontal line.

Hon. Ronnie Abrams  
United States District Judge